

MESSAGE NO: 0007309

MESSAGE DATE: 01/07/2010

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE:

TER-Termination Notice

PUBLIC



NON-PUBLIC



SUB-TYPE:

FR CITE:

FR

FR CITE DATE:

REFERENCE

MESSAGE #

(s):

CASE #(s):

C-552-805

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 01/02/2010

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY
INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS FROM VIETNAM (C-552-805)

MESSAGE NO: 0007309

DATE: 01 07 2010

CATEGORY: CVD

TYPE: TER

REFERENCE:

REFERENCE DATE:

CASES: C - 552 - 805

- -

- -

- -

- -

- -

PERIOD COVERED: 01 02 2010 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE
COUNTERVAILING DUTY INVESTIGATION OF POLYETHYLENE
RETAIL CARRIER BAGS FROM VIETNAM (C-552-805)

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON
SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT OF
COMMERCE (COMMERCE) IS DISCONTINUING THE SUSPENSION OF
LIQUIDATION IN THE COUNTERVAILING DUTY INVESTIGATION OF
POLYETHYLENE RETAIL CARRIER BAGS FROM THE SOCIALIST REPUBLIC OF
VIETNAM, (C-552-805), EFFECTIVE 01/02/2010, WHICH IS 120 DAYS
AFTER THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION.

2. THE SCOPE OF THIS INVESTIGATION COVERS POLYETHYLENE RETAIL

CARRIER BAGS (PRCBS), WHICH ALSO MAY BE REFERRED TO AS T-SHIRT SACKS, MERCHANDISE BAGS, GROCERY BAGS, OR CHECKOUT BAGS. THE SUBJECT MERCHANDISE IS DEFINED AS NON-SEALABLE SACKS AND BAGS WITH HANDLES (INCLUDING DRAWSTRINGS), WITHOUT ZIPPERS OR INTEGRAL EXTRUDED CLOSURES, WITH OR WITHOUT GUSSETS, WITH OR WITHOUT PRINTING, OF POLYETHYLENE FILM HAVING A THICKNESS NO GREATER THAN 0.035 INCH (0.889 MM) AND NO LESS THAN 0.00035 INCH (0.00889 MM), AND WITH NO LENGTH OR WIDTH SHORTER THAN 6 INCHES (15.24 CM) OR LONGER THAN 40 INCHES (101.6 CM). THE DEPTH OF THE BAG MAY BE SHORTER THAN 6 INCHES BUT NOT LONGER THAN 40 INCHES (101.6 CM).

PRCBS ARE TYPICALLY PROVIDED WITHOUT ANY CONSUMER PACKAGING AND FREE OF CHARGE BY RETAIL ESTABLISHMENTS, E.G., GROCERY, DRUG, CONVENIENCE, DEPARTMENT, SPECIALTY RETAIL, DISCOUNT STORES, AND RESTAURANTS TO THEIR CUSTOMERS TO PACKAGE AND CARRY THEIR PURCHASED PRODUCTS. THE SCOPE OF THIS INVESTIGATION EXCLUDES: (1) POLYETHYLENE BAGS THAT ARE NOT PRINTED WITH LOGOS OR STORE

NAMES AND THAT ARE CLOSEABLE WITH DRAWSTRINGS MADE OF POLYETHYLENE FILM AND (2) POLYETHYLENE BAGS THAT ARE PACKED IN CONSUMER PACKAGING WITH PRINTING THAT REFERS TO SPECIFIC END-USES OTHER THAN PACKAGING AND CARRYING MERCHANDISE FROM RETAIL ESTABLISHMENTS, E.G., GARBAGE BAGS, LAWN BAGS, TRASH-CAN LINERS.

IMPORTS OF MERCHANDISE INCLUDED WITHIN THE SCOPE OF THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER STATISTICAL CATEGORY 3923.21.0085 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). THIS SUBHEADING MAY ALSO COVER PRODUCTS THAT ARE OUTSIDE THE SCOPE OF THIS INVESTIGATION. FURTHERMORE, ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-552-805.

4. FIELD OFFICES SHOULD DISCONTINUE SUSPENSION OF LIQUIDATION FOR COUNTERVAILING DUTY PURPOSES ON ALL SHIPMENTS OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/02/2010. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNLESS AND UNTIL COMMERCE PUBLISHES A COUNTERVAILING DUTY ORDER IN THIS CASE.

FIELD OFFICERS SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION MADE DURING THE PERIOD 09/04/2009 THROUGH 01/01/2010, UNTIL THE CONCLUSION OF THIS COUNTERVAILING DUTY INVESTIGATION.

5. THE DISCONTINUATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED IN COMMERCE'S PRELIMINARY DETERMINATION IN THE COMPANION ANTIDUMPING DUTY INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE SOCIALIST REPUBLIC OF VIETNAM (A-552-806).

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY U.S. CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O6:GC).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

ALICE J. BUCHANAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party